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April 19, 2010

Kim Collins  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: MUR 6251

Dear Ms. Collins:

We represent Minnick for Congress and Vern Bisterfeldt as Treasurer ("Respondents") in connection with the complaint filed by David E. Olson ("the Complaint") and subsequently labeled MUR no. 6251. A Designation of Counsel is on file. The purpose of this letter is to respond to the supplemental material sent by Mr. Olson.

The additional material is comprised of two mailings sent out under Congressman Minnick's frank, with all costs paid from funds appropriated by Congress. See 39 U.S.C. § 3210(f). Both of these mailings were reviewed and approved in advance by the House Commission on Congressional Mailing Standards. See 2 U.S.C. § 59e(f). The mailing on the subject of jobs was mailed on February 10, 2010; the mailing on the subject of veterans was mailed on February 23, 2010.

Like the first mailing addressed in the original Complaint, these mailings are not an in-kind contribution to, or expenditure by, Minnick for Congress. They, too, were paid for by the federal government, which is exempt from the definitions of "contribution" and "expenditure." See 2 U.S.C. § 431(8), (9), & (11). They, too, do not meet the content standard for a coordinated communication under 11 C.F.R. § 109.21(c), as they do not contain express advocacy and were not distributed 90 days or fewer before Congressman Minnick's election. Nor do they have any disclaimer requirements under the Act or Commission regulations.

Respondents reiterate their request that this Complaint be immediately dismissed pursuant to 11 C.F.R. § 111.4(d).

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Very truly yours,



Brian G. Svoboda  
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